

**ESB 6183** - H AMD TO H AMD (H-3444.3/09) **919**

By Representative Hudgins

NOT CONSIDERED 4/26/2009

1 On page 2, line 26 of the striking amendment, after  
2 "representative;" insert the following:

3 "(e) The secretary or the secretary's designee has determined that  
4 the offender is not a United States citizen;

5 (f) A final order of deportation or exclusion has been issued for  
6 the offender;

7 (g) The secretary or the secretary's designee has determined that  
8 the offender is not married to a Washington state citizen, does not  
9 have a child who is a Washington state citizen, and does not have a  
10 parent who is a Washington State citizen;

11 (h) The secretary or the secretary's designee has determined that  
12 deportation of the offender will not necessitate public assistance for  
13 the offender's family that remains in Washington state;"

14  
15 Renumber remaining subsections consecutively and correct any  
16 internal references accordingly.

17

**EFFECT:**

(1) Requires the Secretary of the Department of Corrections or his or her designee (Secretary), before an offender is placed on "conditional release status", to determine that the offender is not a United States citizen.

(2) Provides that an offender may not be placed on conditional release status unless a final order for deportation or exclusion has been issued.

(3) Requires the Secretary to determine that the offender is not married to a Washington State citizen, does not have a child who is a Washington State citizen, and does not have a parent who is a Washington State citizen.

(4) Requires the Secretary to determine that deportation of the offender will not necessitate that the offender's family remaining in Washington seek public assistance.

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